



Entered on Docket
May 29, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

Susan M. Freeman AZ State Bar No. 004199
Email: sfreeman@lrlaw.com
Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007
Time: 9:30 a.m

Affecting:

☐ All Cases

or Only:

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

**ORDER SUSTAINING FOURTH OMNIBUS OBJECTION OF THE USACM
LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Fourth Omnibus Objection to Claims Asserting Secured Status [DE 3139] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

ORDERED:

- Sustaining the USACM Trust's Fourth Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

###

PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
 - ☐ approved the form of this order;
 - ☐ waived the right to review the order;
 - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
 - ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

4th Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims

<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01848	1/4/2007	\$100,000.00	S
2 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01849	1/4/2007	\$100,000.00	S
3 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01850	1/4/2007	\$75,464.72	S
4 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01851	1/4/2007	\$50,000.00	S
5 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01852	1/4/2007	\$100,000.00	S
6 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01853	1/4/2007	\$100,000.00	S
7 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01854	1/4/2007	\$100,000.00	S
8 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01855	1/4/2007	\$100,000.00	S
9 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01856	1/4/2007	\$100,000.00	S
10 Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01857	1/4/2007	\$2,056.93	S

11	Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01858	1/4/2007	\$100,000.00	S
12	Broadwalk Investments Limited Partnership Attn James R Bonfiglio 8635 West Sahara Ave Pmb 220 Las Vegas, NV 89117	10725-01859	1/4/2007	\$100,000.00	S
13	Brock Family Trust Dated 5/25/95 C/O Penny L Brock Trustee 355 Mugo Pine Cir Reno, NV 89511-8799	10725-02072	1/11/2007	\$40,705.07	S, U
14	Brock, Penny 355 Mugo Pine Cir Reno, NV 89511	10725-02075	1/11/2007	\$50,000.00	S
15	Brock, Penny 355 Mugo Pine Cir Reno, NV 89511	10725-02076	1/11/2007	\$50,000.00	S
16	Brock, Penny 355 Mugo Pine Cir Reno, NV 89511	10725-02077	1/11/2007	\$62,010.00	S, U
17	Brooks Living Trust Dtd 6/30/97 C/O Howard D & Doreen C Brooks Ttees 1894 Us Highway 50 E Ste 4-344 Carson City, Nv 89701-3202	10725-01050	11/6/2006	\$300,000.00	S
18	Brooks, Robert E 1405 14Th Ave Sw Minot, ND 58701-5781	10725-00549	10/11/2006	\$148,104.63	S
19	Brouwers Family Trust 8040 Vista Twilight Dr Las Vegas, NV 89123	10725-00169	8/28/2006	\$50,746.53	S
20	Brouwers Family Trust 8040 Vista Twilight Dr Las Vegas, NV 89123	10725-00187	9/5/2006	\$50,895.83	S
21	Brouwers Family Trust Trustee 8040 Vista Twilight Dr Las Vegas, NV 89123	10725-00195	9/8/2006	\$50,746.53	S
22	Brown, Jaceck 2391 Nw Irving St Portland, OR 97210	10725-00358	10/2/2006	\$13,510.92	S
23	Bruce Living Trust C/O Don & Kim Bruce Ttees 1761 Montelena Ct Carson City, NV 89703-8375	10725-01343	11/13/2006	\$25,381.95	S, P

24	Bruggemans, Paul 385 W Tahquitz Canyon Way Palm Springs, CA 92262-5647	10725-02101	1/11/2007	\$100,000.00	S
25	Bruggemans, Paul 385 W Tahquitz Canyon Way Palm Springs, CA 92262-5647	10725-02102	1/11/2007	\$200,000.00	S
26	Bruggemans, Paul 385 West Tahquitz Canyon Way Palm Springs, CA 92262	10725-02100	1/11/2007	\$200,000.00	S
27	Buckwald Revocable Trust Dtd 2/11/92 C/O Neil G Buckwald Trustee 5000 N Valadez St Las Vegas, NV 89149-5247	10728-00052	9/29/2006	\$807.00	S
28	Buckwald, Neil 5000 North Valdez St Las Vegas, NV 89149	10725-00298	9/29/2006	\$50,806.00	S
29	Bunn, Frank 8279 Palmada Las Vegas, Nv 89123	10725-01263	11/10/2006	\$31,591.69	S
30	Burdige, Cynthia 100 Nw 82 Ave Ste 305 Platation, FL 33324	10725-00938	11/2/2006	\$427,692.00	S
31	Burrus, Timothy F & Joann Ortiz-Burrus Del Hardy Esq Hardy Law Group 96-98 Winter St Reno, Nv 89503-5605	10725-00027	6/14/2006	\$50,000.00	S
32	Burrus, Timothy F & Joann Ortiz-Burrus Del Hardy Esq Hardy Law Group 96-98 Winter St Reno, NV 89503-5605	10725-00028	6/14/2006	\$50,000.00	S
33	Burrus, Timothy F & Joann Ortiz-Burrus Del Hardy Esq Hardy Law Group 96-98 Winter St Reno, Nv 89503-5605	10725-00029	6/14/2006	\$64,440.40	S
34	Burrus, Timothy F & Joann Ortiz-Burrus Del Hardy Esq Hardy Law Group 96-98 Winter St Reno, Nv 89503-5605	10725-00030	6/14/2006	\$50,000.00	S
35	Burrus, Timothy F & Joann Ortiz-Burrus Del Hardy Esq Hardy Law Group 96-98 Winter St Reno, NV 89503-5605	10725-00031	6/14/2006	\$50,000.00	S

36	Burt Family Trust #1 & 2 Donald Burt & Connie Cejmer Po Box 2018 Quartzite, AZ 85345	10725-01674	12/11/2006	\$213,338.00	S
37	C Zrudsky Inc 106 E Victorian Ave Spc 35 Sparks, NV 89431-5408	10725-00292	9/29/2006	\$54,355.00	S
38	Cale Family Trust Dtd 11/16/88 C/O Keith J Cale Ttee 6070 Ingleston Dr Unit 1111 Sparks, NV 89436-7082	10725-00325	9/28/2006	\$103,204.00	S
39	Calhoun, Anita J 2026 Bel Air Ave San Jose, CA 95128-1409	10725-01021	11/6/2006	\$50,000.00	S
40	Calhoun, Orvin 2026 Bel Air Ave San Jose, CA 95128	10725-01022	11/6/2006	\$104,946.77	S
41	Callahan & Maradon Jt Tenents, Valerie & Charles 12585 Creek Crest Dr Reno, NV 89511	10725-02061	1/11/2007	\$294,869.42	S, U
42	Cangelosi Trustee, Margaret M 614 Hillside Crossing Pompton Plains, NJ 07444	10725-01930	1/11/2007	\$111,767.12	S, U
43	Cangelosi, Brandon Arner & Donna M 5860 Lausanne Dr Reno, NV 89511-5034	10725-01717	12/11/2006	\$110,000.00	S
44	Cangelosi, John R & Margaret M 614 Hillside Crossing Pompton Plains, NJ 07444	10725-01866	1/10/2007	\$141,979.18	S, U
45	Carano, Marie K 2780 Lakeside Dr Reno, NV 89509-4218	10725-01098	11/8/2006	\$100,000.00	S
46	Cardwell Charitable Trust C/O James B Cardwell Tr C/O Michael J Dawson Esq 515 South Third St Las Vegas, NV 89101	10725-01407	11/13/2006	\$1,549,493.61	S, U
47	Cardwell Family Trust C/O James B Cardwell & Reba Jo C/O Michael J Dawson Esq 515 South Third St Las Vegas, NV 89101	10725-01396	11/13/2006	\$3,229,496.02	S, U
48	Cardwell Family Trust C/O James B Cardwell & Reba Jo C/O Michael J Dawson Esq 515 South Third St Las Vegas, NV 89101	10725-01397	11/13/2006	\$ 3,331,718.07	S, U

49	Cardwell Family Trust C/O James B Cardwell & Reba Jo C/O Michael J Dawson Esq 515 South Third St Las Vegas, NV 89101	10725-01401	11/13/2006	\$3,226,795.82	S, U
50	Cardwell, Reba Jo C/O Michael J Dawson Esq 515 South Third St Las Vegas, NV 89101	10725-01402	11/13/2006	\$100,010.00	S, U